

**ALEXANDRIA TOWNSHIP COMMITTEE SPECIAL MEETING
MINUTES**

February 21, 2018

This meeting was advertised in the Hunterdon Democrat, notice posted in the Alexandria Township Municipal Offices and the Alexandria Township Website, (www.alexandrianj.gov) as required by the Open Public Meetings Act.

Meeting Called to order at 7:15 PM.

ROLL CALL:

PRESENT: Mayor Garay, Committeeman Pfefferle, Committeeman Kiernan

ABSENT: None

OLD BUSINESS:

None

NEW BUSINESS:

- Resolution 2018-045 Authorizing the Township Special Tax Appeal captioned Metuchen Savings Bank by Milrom Companies, Inc. Contract-Purchaser vs. Alexandria Township, Docket No. 009105-2017

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to return to approve Resolution 2018-045.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

RESOLUTION 2018- 45

**TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP SPECIAL TAX APPEAL ATTORNEY
TO ENTER INTO A STIPULATION OF SETTLEMENT
FOR TAX APPEAL CAPTIONED METUCHEN SAVINGS BANK BY MILROM COMPANIES,
INC., CONTRACT-PURCHASER VS. ALEXANDRIA TOWNSHIP, DOCKET NO. 009105-2017.**

WHEREAS, Metuchen Savings Bank by Milrom Companies, Inc., Contract-Purchaser ("Taxpayer"), the taxpayer of the following contiguous properties located in Block 21, Lots 38.01, 38.07, 38.08, 38.09, 38.10, 38.19, 39.20, 38.15, 38.16, and 38.17 on

the Township of Alexandria's Tax Assessment Maps (the "Properties"), filed an Appeal of its 2017 tax assessments in the Tax Court of New Jersey, Docket Nos. 009105-2017; and

WHEREAS, the Mayor and Township Committee met and considered the aforesaid tax appeals and the recommendations of its Tax Assessor and Special Tax Appeal Attorney; and

WHEREAS, the total aggregate assessments on the Properties were \$1,382,200 in 2017; and

WHEREAS, the Township Tax Assessor reviewed the market, relevant comparable sales and other data; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated which settlement results in a reduction of the 2017 assessments, as more specifically set forth in the Stipulation of Settlement reviewed by the Mayor and Committee; and

WHEREAS, the settlement results in the 2017 total aggregate tax assessments on the Properties being reduced from \$1,382,200 to total aggregate tax assessments of \$1,052,300 for the Properties; and

WHEREAS, the Taxpayer has agreed to waive the payment of interest provided the refunds are paid within sixty (60) days of the date of entry of the Tax Court judgment to "Sky Manor Airpark Estates, LLC" and forwarded to Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837; and

WHEREAS, the Township Tax Assessor will set the 2018 total aggregate tax assessments at no more than \$810,500; and

WHEREAS, either party may file tax appeals in 2018 to obtain judgment(s) to implement, enforce and/or confirm the \$810,500 aggregate assessments and that the agreement on the 2018 assessments shall be binding upon any assignees, tenants and successors in interest with regard to the subject Properties; and

WHEREAS, the parties also agree that the 2017 and 2018 assessments include all site improvements associated with each tax parcel of the Properties, whether completed or not, but, the Township Tax Assessment may levy added and/or omitted assessments to the extent permitted by law to the Properties for construction of houses on the Properties,

WHEREAS, the aforesaid reductions have no general application to other properties within the Township because of the aforesaid specific fact situation; and

WHEREAS, the Township will make this settlement without prejudice to its dealings with any other Township taxpayers' requests for tax assessment reduction;

WHEREAS, the Mayor and Committee have reviewed a copy of the proposed Stipulation of Settlement in this matter;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The Township's Special Tax Appeal Attorney is hereby authorized to execute a Stipulation of Settlement relative to the tax appeal of Metuchen Savings Bank by Milrom Companies, Inc., Contract-Purchaser, Docket No. 09105-2017; which settlement is more specifically described in the annexed Stipulation of Settlement.
2. The settlement outlined above shall be without prejudice to the Township of Alexandria's dealings with any other Township taxpayers' request for tax assessment reductions.

3. The Tax Assessor is directed to allocate the settled amounts of the assessments between land and improvements of and between the Properties in a manner which is in the best interests of the Township of Alexandria.
4. A certified copy of this Resolution and the Annexed Stipulation of Settlement shall be provided to the Chief Financial Officer, Tax Assessor and Special Tax Appeal Attorney.

COMMENTS:

None

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to go into Executive Session. (Time 7:17 PM.)

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

_____ A confidential or excluded matter under Federal or State Law or Court Rule.

_____ A matter involving information that may impair the Township's rights to receive funds from the United States Government.

_____ A matter constituting an unwarranted invasion of an individual's privacy rights.

_____ Collective Bargaining Agreement or negotiation of the Agreement.

_____ Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.

_____ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

 X Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

Township Auditor RFP

- _____ Matters falling within the attorney-client privilege.
 - _____ Personnel matters involving a specific employee or officer of the Township.
Township Committee Meetings
 - _____ Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.
3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
 4. The executive session minutes will be placed on file in the township clerk's office, and will be available to the public as provided for by New Jersey law.
 5. This Resolution shall take effect immediately.
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Comm. Pfefferle made a motion, seconded by Comm. Kiernan to return to Public Session **(Time 7:43 PM)**.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to pursue appointment of Suplee, Clooney and Company as township auditors based on completeness of the Request for Proposal from Township Attorney Dragan.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

EXECUTIVE SESSION:

The following matters were discussed in Executive Session:

- Township Auditor Request for Proposals (RFP's)

The Township Committee received three RFP's for Township Auditor for 2018. They were:

- 1.) Bedard, Kurowicki & Co. Proposal of \$25,000.00
- 2.) Suplee, Clooney & Company Proposal of \$ 24,000.00
- 3.) Nisivoccia, LLP Proposal of \$ 25,000.00

MOTION TO ADJOURN

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to adjourn.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 7:43 PM.

Respectfully Submitted:

Michele Bobrowski, RMC

Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Special Meeting of February 21, 2018 and certify that said Minutes were approved unanimously by the Township Committee on the 14th day of March 2018.